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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 ARTHUR VALLEJO,

10 Plaintiff,

11 v.

12 MIDLAND CREDIT MANAGEMENT, INC., a
13 California corporation and licensed out of state
collection agency; and GORDON, AYLWORTH
& TAMI, PC, an Oregon corporation,

Defendants.

Case No. 2:21-cv-1548

**NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. § 1441(a)**

16 PLEASE TAKE NOTICE THAT defendant Gordon, Aylworth & Tami, PC ("GAT")

17 hereby removes to this Court the state court action described below.

18 1. This is a civil action over which the Court has original jurisdiction under 28
19 U.S.C. § 1331, and which may be removed to this Court pursuant to 28 U.S.C. § 1441(a) and 28
20 U.S.C. § 1367, because it involves claims under the Fair Debt Collection Practices Act, 15
21 U.S.C. § 1692 *et seq.*, and transactionally related state law claims.

22 2. Venue is proper in the Western District of Washington, Seattle Division, because
23 it is the district and division embracing the place where the state court action allegedly is pending
24 (King County). *See* 28 U.S.C. §1441(a).

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Page 1 - NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441(a)

Cosgrave Vergeer Kester LLP
900 SW Fifth Avenue, 24th Floor
Portland, Oregon 97204
Telephone: (503) 323-9000
Facsimile: (503) 323-9019

3. GAT purportedly was served with a summons and an unfiled complaint on or
1 about October 19, 2021, entitled *Arthur Vallejo v. Midland Credit Management, Inc. and*
2 *Gordon, Aylworth & Tami, PC*, Washington Superior Court, King County. A copy of the
3 summons and complaint are attached as Exhibit A.

4. GAT is unaware of any further proceedings that have occurred in the state court
5 action and, at the time this Notice of Removal was filed, GAT was unaware of the state court
6 action being filed yet (as noted, the summons and complaint purportedly were served).

7. Defendant Midland Credit Management, Inc. consents to the removal of the state
8 court action to this Court.

9. 6. In filing this Notice of Removal, GAT does not waive any defenses or claims,
10 including (but not limited to) any defenses based on jurisdiction, service, or statute of limitations.

11 DATED: November 15, 2021

12 COSGRAVE VERGEER KESTER LLP

14 *s/ Robert E. Sabido*

15 Robert E. Sabido, WSBA No. 29170
16 rsabido@cosgravelaw.com
17 900 SW Fifth Avenue, 24th Floor
18 Portland, OR 97204
19 Telephone: 503-323-9000
20 Facsimile: 503-323-9019

21 Attorneys for Defendant Gordon, Aylworth &
22 Tami, P.C.

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing NOTICE OF
REMOVAL OF ACTION UNDER 28 U.S.C. § 1441(a) on the date indicated below by:

- mail with postage prepaid, deposited in the US mail at Portland, Oregon,
- hand delivery,
- facsimile transmission,
- overnight delivery,
- electronic filing notification.

9 If served by facsimile transmission, attached to this certificate is the printed confirmation
10 of receipt of the documents generated by the transmitting machine. I further certify that said
11 copy was placed in a sealed envelope delivered as indicated above and addressed to said attorney
12 at the address listed below:

Peter M. Schneider
Litigation Practice Group
10900 NE Fourth St., Ste. 2300
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Attorneys for Plaintiff

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Holland & Knight LLP
601 SW Second Ave., Ste. 1800
Portland, OR 97204
garrett.garfield@hklaw.com

Attorneys for Defendant Midland Credit Management, Inc.

DATED: November 15, 2021

s/ Robert E. Sabido